

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
SPRINGFIELD DIVISION**

PAUL THAYIL,)	
)	
Plaintiff,)	
v.)	Case No. 10-3200-CV-S-REL
)	
SIMON COWELL, ET AL.,)	
)	
Defendants.)	

**JOINDER OF DEFENDANTS SONY MUSIC ENTERTAINMENT,
SIMON FULLER, 19 ENTERTAINMENT, CKX, INC. SIMON COWELL AND NIGEL
LYTHGOE IN CERTAIN SECTIONS OF DEFENDANT EMI'S MOTION TO DISMISS**

Defendants Sony Music Entertainment, Simon Fuller, 19 Entertainment, CKX, Inc. Simon Cowell and Nigel Lythgoe (collectively, "Joining Defendants"), do hereby join in certain arguments and authority contained in Defendant EMI Entertainment World Inc.'s Motion to Dismiss the Complaint, filed on June 28, 2010. (*See* Court's Docket No. 15). Specifically, Joining Defendants concur with EMI's authority in support of its request to dismiss the Complaint for failure to state a claim, per Federal Rule of Civil Procedure 12(b)(6) and concur in EMI's position regarding improper venue pursuant to Federal Rule of Civil Procedure 12(b)(3).

Joining Defendants join in the authority cited by EMI in support of its 12(b)(6) Motion for failure to state a claim. Each of the arguments for failure to state a claim made by EMI are equally applicable to Joining Defendants. As such, Joining Defendants hereby join in EMI's Motion to Dismiss for failure to state a claim, FRCP 12(b)(6).

In addition, Joining Defendants are similarly situated and agree with EMI that no Joining Defendant resides in this Judicial District, no alleged events occurred here, as well as the fact that the action could have been brought in another District. Joining Defendants support EMI's

position that venue is improper in the Western District of Missouri, pursuant justifying dismissal of the case. (*See* FRCP 12(b)(3)).

SONNENSCHN NATH & ROSENTHAL LLP

____/s/____Andrea Kimball _____
Andrea M. Kimball MO Bar # 61316
Rebecca S. Stroder MO Bar # 51203
4520 Main Street, Suite 1100
Kansas City, Missouri 64111
(816) 460-2400; (816) 531-7545 (fax)
akimball@sonnenschein.com
rstroder@sonnenschein.com

ATTORNEYS FOR DEFENDANTS SONY
MUSIC ENTERTAINMENT, SIMON FULLER,
SIMON COWELL, NIGEL LYTHGOE, 19
ENTERTAINMENT AND CKX, INC.

Certificate of Service

I hereby certify on this 16th day of July, 2010, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, and I deposited a copy of the foregoing document with the United States Postal Service, first-class postage prepaid to:

Paul Thayil
2020 E. Kerr St., Apt. C-109
Springfield, MO 65803
Plaintiff

/s/ Rebecca Stroder
Attorneys for Defendants SONY Music
Entertainment, Simon Fuller, Simon Cowell, Nigel
Lythgoe, 19 Entertainment, and CKX, Inc.